

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RUDY STANKO, and on behalf of	)	8:10CV151
similarly situated people,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

This matter is before the Court on its own motion. Plaintiff filed a complaint in this matter on April 19, 2010 (Filing No. [1](#)). The Court has carefully reviewed plaintiff's complaint and finds that it is the functional equivalent of a motion to vacate pursuant to [28 U.S.C. § 2255](#), as it challenges plaintiff's conviction and sentence in [Case Number 8:05CR93](#).

IT IS ORDERED:

1. In accordance with [General Order No. 2008-15](#), this matter is a petition filed pursuant to [28 U.S.C. § 2255](#) and is removed from the pro se docket.

2. The Clerk of the court is directed to call this case to the attention of Chief Judge Joseph Bataillon for

possible reassignment to him because it is related to [Case Number 8:05CR93](#), in which he was the assigned judge.

DATED this 24th day of August, 2010.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

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